

# Questioning Council Hours

Outside employment may no longer be allowed.

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**C**ouncilmember Howard Denis (R-1) puts in long hours in service to Montgomery County and as a Congressional staffer for U.S. Rep. Tom Davis (R-Va.).

"Between the two jobs, I don't even want to count the hours," said Denis when asked to tally his workload. "It's pretty much 24/7, 365. ... But I enjoy it. I love it — I'm not complaining."

Membership in the Montgomery County Council is a part-time job with full-time hours. The Charter Review Commission proposed a ballot amendment to designate the position as full-time, which could pave the way toward higher salaries and better recruitment of candidates. However, some Council members may prefer the current set-up because it does not discourage outside employment.

Despite his hectic schedule, Denis is wary of a full-time designation for Council positions.

"There's a lot to be said for a part-time public legislator whose livelihood is not dependent upon public office," he said. "We come together for a short time to enact laws and then we go back into the real world. I think that's positive and what was intended by the framers of the Constitution and the founders of government."

Councilmember Steven Silverman (D-at large) disagrees.

"In a community of one million, people expect Council to be full-time," he said. "I don't know anyone working less than 50 hours per week, even if they do have an outside job of some kind."

**AT LEAST FIVE** of the nine Council members have outside employment, mostly as lawyers, according to Council spokesperson Pat Lacefield. The Charter Review Commission wrote that the amendment

would not limit a Council member's right to engage in outside employment. However, Lacefield said that making Council membership full-time could effectively limit that option.

"It might well raise expectations that if it's defined as full-time, then 'Why are you doing other things?'" he said. "The county executive and county attorney are defined as full-time but Council is not. Those folks can't have other employment, but Council members can, and some of them do."

"I think [an amendment] would make it easier to limit the scope of outside employment," said Silverman, "but I don't think we're going to lose anybody by putting restrictions on outside employment."

Silverman, who is running for county executive, worked part-time for a law practice the first year of his tenure on the Council.

"I had to give it up because it wasn't possible to meet the demands of the job," he said. "If people can balance it out, that's their call, but I think the public expects [Council membership] to be full-time."

**THE POSSIBILITY** of full-time status also raises the issue of a salary increase. Despite the high cost of living in Montgomery County, a vote paving the way for their own raises may be a touchy subject for Council members who are up for re-election.

"It's not automatic that if you decide to make [Council membership] full time in the charter, that compensation will increase," said Lacefield. "But I think that there is sort of a presumption that that would lead future compensation committees of the county to look at Council member positions and say 'They're full-time now, therefore they deserve increased compensation.'"

"I would be concerned about increasing the salaries, which would be the next step," said Denis. "These positions are not jobs. It's not a job, it's an

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## County Council

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honor.

"I'm not sure it's in everyone's interest all the time to have a full-time Council where everyone's a full-time politician all the time," he continued.

"I work very hard at this job, and it's pretty much a full-time job for me," said Councilmember Nancy Floreen (D-at large). "The chal-

lenge here is really the pay scale. [The commission] said their concern is getting enough well-qualified folks ... but we have a lot of candidates now so it doesn't appear to be a problem."

At the time of the county's 2005 compensation report, the Councilmembers' salaries were

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just ahead of the national average among areas of similar size and socioeconomic status. Council members currently make \$79,721 per year, and the Council president makes 10 percent more, or \$87,694. However, the 2005 report noted that "many County employees make considerably more than Council members, including members of their own staffs."

**THE CHARTER REVIEW** Commission aimed to help the Council members earn a salary commensurate to the workload they have, and better afford the cost of living in Montgomery County. They voted 7-2 to propose the amendment.

"The Genesis of the full-time/part-time [amendment] started in 2003 with the commission on compensation. We thought it was worthy for you to consider a second time," said commission vice chair Barbara Smith Hawk at the Council meeting on June 13. "To amend section 107 of the Charter provides that membership should be a full-time position for the purpose of considering compensation."

"Compensation is always a challenging issue in the public sector," said commission member Cheryl C. Kagan at the meeting. "Each of you work an extraordinary number of hours serving the committee... [an amendment would help ensure that] you all would be paid appropriately in a county with a high cost of living, and that you would be fairly compensated for your work."

One concern raised in the group's report dealt with whether outside employment might detract from a Councilmember's performance.

"Council voting records show that there may be a correlation between the number of Council votes missed and whether a Councilmember holds an outside job."

However, the report also notes that allowing Council members to engage in outside employment could help keep them "in touch with the community."

The Montgomery County Chamber of Commerce suggested that allowing Council members to have outside employment could encourage small business owners to run for the office.

A vote on whether to put the amendment on November's ballot will likely take place before the Council recess in July.